

MATTHEW M. YELOVICH (NYBN 4897013)  
Attorney for the United States

MATTHEW M. YELOVICH (NYBN 4897013)  
Acting Chief, Criminal Division

DAVID J. WARD (CABN 239504)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102-3495  
Telephone: (415) 436-7200  
FAX: (415) 436-7230  
david.ward@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	NO. 23-CR-0402 SI
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED] ORDER TO
	)	RESET SET CHANGE OF PLEA HEARING AND
v.	)	TO EXCLUDE TIME UNDER THE SPEEDY
	)	TRIAL ACT
CYRIL YU,	)	
	)	
Defendant,	)	
	)	
	)	

The parties to the above-captioned case are scheduled to appear before the Court for a change of plea hearing on February 2, 2024. A scheduling conflict has arisen for government counsel, and therefore the parties stipulate and ask the Court to vacate the change of plea hearing on February 2, 2024, and set this matter on the Court's calendar for a change of plea hearing on March 8, 2024.

Further, the parties stipulate and agree that time be excluded under from February 2, 2024 to March 8, 2024. This will allow defense counsel time to continue to prepare, taking into account the exercise of due diligence. For this reason, the parties stipulate and agree that excluding time until March

1 8, 2024 will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The  
2 parties further stipulate and agree that the ends of justice served by excluding the time from February 2,  
3 2024 through March 8, 2024 from computation under the Speedy Trial Act outweigh the best interests of  
4 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

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6 MATTHEW YELOVICH  
7 Attorney for the United States

8 Dated: January 22, 2024

/s/ David J. Ward  
9 DAVID J. WARD  
Assistant United States Attorney

10  
11 Dated: January 22, 2024

/s/ with Permission  
12 NGHI LAM  
Attorney for Defendant CYRIL YU

1 **[PROPOSED] ORDER**

2 Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY  
3 ORDERS that the change of plea hearing set for February 2, 2024 be vacated, and orders the parties to  
4 appear before the Court for a change of plea hearing on March 8, 2024.

5 The Court further finds that failing to exclude the time from February 2, 2024 through March 8,  
6 2024 would unreasonably deny defense counsel and the defendant the reasonable time necessary for  
7 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).  
8 The Court finds that the ends of justice served by excluding the time from February 2, 2024 through  
9 March 8, 2024 from computation under the Speedy Trial Act outweigh the best interests of the public  
10 and the defendant in a speedy trial.

11 Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from  
12 February 2, 2024 through March 8, 2024 shall be excluded from computation under the Speedy Trial  
13 Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

14 **IT IS SO ORDERED.**

15  
16 Dated: \_\_\_\_\_

17 \_\_\_\_\_  
18 HONORABLE SUSAN ILLSTON  
19 United States Senior District Judge  
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